

# **EXHIBIT 1**

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*Counsel for Individual and Representative Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

V.

Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF RICHARD KADREY'S  
AMENDED RESPONSES TO  
DEFENDANT META PLATFORMS,  
INC.'S SECOND SET OF REQUESTS FOR  
ADMISSION**

1 **PROPOUNDING PARTIES:**

Defendant Meta Platforms, Inc.

2 **RESPONDING PARTIES:**

Plaintiff Richard Kadrey

3 **SET NUMBER:**

Two (2)

5 Plaintiff Richard Kadrey (“Plaintiff”) hereby amends his responses to Defendant Meta  
6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests”  
7 or “RFAs”).

8 **GENERAL OBJECTIONS**

9 1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they  
10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

11 2. Plaintiff objects to the Requests to the extent they seek information or materials that are  
12 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure  
13 rules, or other applicable privileges and protections, including communications with Plaintiff’s  
14 attorneys regarding the Action.

15 Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or  
16 supplement these responses with subsequently discovered responsive information and to introduce and  
17 rely upon any such subsequently discovered information in this litigation.

18 **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

19 **REQUEST FOR ADMISSION NO. 8:**

20 Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training  
21 data for artificial intelligence.

22 **AMENDED RESPONSE TO REQUEST NO. 8:**

23 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
24 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
25 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
26 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
27 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
 3 objections, Plaintiff responds, admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
 6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
 15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections, see  
 16 response to RFA 8. Plaintiff responds, admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as training  
 19 data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 27 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the foregoing

1 objections, Plaintiff responds, admit.

2 **REQUEST FOR ADMISSION NO. 11:**

3 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody so  
4 authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for artificial  
5 intelligence.

6 **AMENDED RESPONSE TO REQUEST NO. 11:**

7 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
8 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
9 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
10 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
11 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
12 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
13 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
14 objections, Plaintiff responds, admit.

15 **REQUEST FOR ADMISSION NO. 12:**

16 Admit that, other than YOUR contention that LLM developers such as Meta should have  
17 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
18 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
19 alleged in the COMPLAINT.

20 **AMENDED RESPONSE TO REQUEST NO. 12:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
25 objects to the term “lost sales” as rendering this Request vague and ambiguous. Plaintiff further objects  
26 to this Request because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi.  
Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be

1 connected to the facts of the case, courts do not permit “hypothetical” questions within requests for  
 2 admission.””); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997)  
 3 (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its  
 4 device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to  
 5 this Request as duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert  
 6 opinion. Plaintiffs are still investigating their damages theory. Subject to and without waiving the  
 7 foregoing objections, Plaintiff responds, as of today, admit.

**REQUEST FOR ADMISSION NO. 13:**

Admit that YOU have no documentary evidence that any PERSON has offered any  
 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

**AMENDED RESPONSE TO REQUEST NO. 13:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 the specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 objections, Plaintiff responds, admit.

**REQUEST FOR ADMISSION NO. 14:**

Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

**AMENDED RESPONSE TO REQUEST NO. 14:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also

1 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 2 the specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 3 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 4 objections, Plaintiff responds, admit.

5 **REQUEST FOR ADMISSION NO. 15:**

6 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 7 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 8 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due to  
 9 the infringement alleged in the COMPLAINT.

10 **AMENDED RESPONSE TO REQUEST NO. 15:**

11 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 12 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 13 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 14 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 15 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 16 the specific claims and defenses raised in this dispute. Plaintiff further objects to the term “lost sales” as  
 17 rendering this Request vague and ambiguous. Plaintiff also objects to this Request because it is  
 18 hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL  
 19 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the  
 20 case, courts do not permit “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un.  
 21 Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to  
 22 admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory  
 23 committee’s note to 1946 amendment. Plaintiff further objects to this Request as duplicative in whole or  
 24 in part of RFA 12. Subject to and without waiving the foregoing objections, Plaintiff responds, admit.

25 **REQUEST FOR ADMISSION NO. 16:**

26 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 27 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due

1 to the alleged use of YOUR ASSERTED WORKS to train large language models.

2 **AMENDED RESPONSE TO REQUEST NO. 16:**

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 5 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 7 further objects to the term “book sales” as rendering this request vague and ambiguous. Plaintiff also  
 8 objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g.,  
 9 *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to  
 10 admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within  
 11 requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17,  
 12 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use  
 13 of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further  
 14 objects to this Request as it calls for expert testimony. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be  
 16 readily obtained by him is insufficient to enable him to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 22 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 26 waiving the foregoing objections, Plaintiff responds, admit.

1     **REQUEST FOR ADMISSION NO. 33:**

2                 Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4     **AMENDED RESPONSE TO REQUEST NO. 33:**

5                 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
7 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
8 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
9 further objects to the phrase “for a fee” as vague and ambiguous. Subject to and without waiving the  
10 foregoing objections, Plaintiff responds, admit.

1 Dated: August 28, 2024

2 By: /s/ Joseph R. Saveri  
3 Joseph R. Saveri

4 Joseph R. Saveri (State Bar No. 130064)  
5 Cadio Zirpoli (State Bar No. 179108)  
6 Christopher K.L. Young (State Bar No. 318371)  
7 Holden Benon (State Bar No. 325847)  
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43 *Counsel for Individual and Representative Plaintiffs*  
44 *and the Proposed Class*

**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by the Joseph Saveri Law Firm, LLP. My business address is 601 California Street, Suite 1505, San Francisco, California 94108. I am over the age of eighteen and not a party to this action.

On August 28, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- PLAINTIFF RICHARD KADREY'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION

I declare under penalty of perjury that the foregoing is true and correct. Executed August 28, 2024,  
at San Francisco, California.

By: Rya Fishman  
Rya Fishman

## **SERVICE LIST**

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*Counsel for Defendant  
Meta Platforms, Inc.*

# **EXHIBIT 2**

Joseph R. Saveri (State Bar No. 130064)  
Cadio Zirpoli (State Bar No. 179108)  
Christopher K.L. Young (State Bar No. 318371)  
Holden Benon (State Bar No. 325847)  
Aaron Cera (State Bar No. 351163)  
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*Counsel for Individual and Representative Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

V.

Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF SARAH SILVERMAN'S  
AMENDED RESPONSES TO  
DEFENDANT META PLATFORMS,  
INC.'S SECOND SET OF REQUESTS FOR  
ADMISSION**

1 **PROPOUNDING PARTIES:**

**Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTIES:**

**Plaintiff Sarah Silverman**

3 **SET NUMBER:**

**Two (2)**

5 Plaintiff Sarah Silverman (“Plaintiff”) hereby amends her responses to Defendant Meta  
6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests”  
7 or “RFAs”).

8 **GENERAL OBJECTIONS**

9 1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they  
10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

11 2. Plaintiff objects to the Requests to the extent they seek information or materials that are  
12 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure  
13 rules, or other applicable privileges and protections, including communications with Plaintiff’s  
14 attorneys regarding the Action.

15 Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or  
16 supplement these responses with subsequently discovered responsive information and to introduce and  
17 rely upon any such subsequently discovered information in this litigation.

18 **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

19 **REQUEST FOR ADMISSION NO. 8:**

20 Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training  
21 data for artificial intelligence.

22 **AMENDED RESPONSE TO REQUEST NO. 8:**

23 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
24 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
25 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
26 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
27 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
3 objections, Plaintiff responds, admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections, see  
16 response to RFA 8. Plaintiff responds, admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as training  
19 data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
27 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the foregoing

1 objections, Plaintiff responds, admit.

2 **REQUEST FOR ADMISSION NO. 11:**

3 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody so  
4 authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for artificial  
5 intelligence.

6 **AMENDED RESPONSE TO REQUEST NO. 11:**

7 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
8 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
9 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
10 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
11 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
12 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
13 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
14 objections, Plaintiff responds, admit.

15 **REQUEST FOR ADMISSION NO. 12:**

16 Admit that, other than YOUR contention that LLM developers such as Meta should have  
17 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
18 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
19 alleged in the COMPLAINT.

20 **AMENDED RESPONSE TO REQUEST NO. 12:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
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24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
25 objects to the term “lost sales” as rendering this Request vague and ambiguous. Plaintiff further objects  
26 to this Request because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi.  
Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be

1 connected to the facts of the case, courts do not permit “hypothetical” questions within requests for  
 2 admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997)  
 3 (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its  
 4 device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to  
 5 this Request as duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert  
 6 opinion. Plaintiffs are still investigating their damages theory. Subject to and without waiving the  
 7 foregoing objections, Plaintiff responds, as of today, admit.

**REQUEST FOR ADMISSION NO. 13:**

Admit that YOU have no documentary evidence that any PERSON has offered any  
 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

**AMENDED RESPONSE TO REQUEST NO. 13:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff also  
 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 the specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 objections, Plaintiff responds, admit.

**REQUEST FOR ADMISSION NO. 14:**

Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

**AMENDED RESPONSE TO REQUEST NO. 14:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
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1 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 2 the specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 3 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 4 objections, Plaintiff responds, admit.

5 **REQUEST FOR ADMISSION NO. 15:**

6 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 7 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 8 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due to  
 9 the infringement alleged in the COMPLAINT.

10 **AMENDED RESPONSE TO REQUEST NO. 15:**

11 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 12 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 13 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
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 21 Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to  
 22 admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory  
 23 committee’s note to 1946 amendment. Plaintiff further objects to this Request as duplicative in whole or  
 24 in part of RFA 12. Subject to and without waiving the foregoing objections, Plaintiff responds, admit.

25 **REQUEST FOR ADMISSION NO. 16:**

26 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 27 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due

1 to the alleged use of YOUR ASSERTED WORKS to train large language models.

2 **AMENDED RESPONSE TO REQUEST NO. 16:**

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 5 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 7 further objects to the term “book sales” as rendering this request vague and ambiguous. Plaintiff also  
 8 objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g.,  
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 14 objects to this Request as it calls for expert testimony. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be  
 16 readily obtained by her is insufficient to enable her to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 22 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 26 waiving the foregoing objections, Plaintiff responds, admit.

1     **REQUEST FOR ADMISSION NO. 33:**

2                 Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3                 works for the purpose of training an artificial intelligence large language model.

4     **AMENDED RESPONSE TO REQUEST NO. 33:**

5                 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
6                 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
7                 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
8                 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
9                 further objects to the phrase “for a fee” as vague and ambiguous. Subject to and without waiving the  
10                 foregoing objections, Plaintiff responds, admit.

1 Dated: August 28, 2024

2 By: /s/ Joseph R. Saveri  
3 Joseph R. Saveri

4 Joseph R. Saveri (State Bar No. 130064)  
5 Cadio Zirpoli (State Bar No. 179108)  
6 Christopher K.L. Young (State Bar No. 318371)  
7 Holden Benon (State Bar No. 325847)  
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43 *Counsel for Individual and Representative Plaintiffs*  
44 *and the Proposed Class*

**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by the Joseph Saveri Law Firm, LLP. My business address is 601 California Street, Suite 1505, San Francisco, California 94108. I am over the age of eighteen and not a party to this action.

On August 28, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- PLAINTIFF SARAH SILVERMAN'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION

I declare under penalty of perjury that the foregoing is true and correct. Executed August 28, 2024,  
at San Francisco, California.

By: Rya Fishman  
Rya Fishman

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*Counsel for Defendant  
Meta Platforms, Inc.*

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Cadio Zirpoli (State Bar No. 179108)  
Christopher K.L. Young (State Bar No. 318371)  
Holden Benon (State Bar No. 325847)  
Aaron Cera (State Bar No. 351163)  
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Alexander J. Sweatman (pro hac vice anticipated)  
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& SPRENGEL LLP**  
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*Counsel for Individual and Representative Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

V.

Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF CHRISTOPHER GOLDEN'S  
AMENDED RESPONSES TO  
DEFENDANT META PLATFORMS,  
INC.'S SECOND SET OF REQUESTS FOR  
ADMISSION**

## **PROPOUNDING PARTIES:**

## **Defendant Meta Platforms, Inc.**

## **RESPONDING PARTIES:**

## **Plaintiff Christopher Golden**

**SET NUMBER:**

Two (2)

Plaintiff Christopher Golden (“Plaintiff”) hereby amends his responses to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

## **GENERAL OBJECTIONS**

1. Plaintiff generally objects to Defendant's definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff's attorneys regarding the Action.

Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

## AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS

## **REQUEST FOR ADMISSION NO. 8:**

Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training data for artificial intelligence.

**AMENDED RESPONSE TO REQUEST NO. 8:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
3 objections, Plaintiff responds, admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections, see  
16 response to RFA 8. Plaintiff responds, admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as training  
19 data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the foregoing  
 2 objections, Plaintiff responds, admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody so  
 5 authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for artificial  
 6 intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds, admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
 19 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 26 objects to the term “lost sales” as rendering this Request vague and ambiguous. Plaintiff further objects  
 27 to this Request because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi.*

1       *Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be  
 2 connected to the facts of the case, courts do not permit “hypothetical” questions within requests for  
 3 admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997)  
 4 (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its  
 5 device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to  
 6 this Request as duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert  
 7 opinion. Plaintiffs are still investigating their damages theory. Subject to and without waiving the  
 8 foregoing objections, Plaintiff responds, as of today, admit.

9       **REQUEST FOR ADMISSION NO. 13:**

10       Admit that YOU have no documentary evidence that any PERSON has offered any  
 11 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

12       **AMENDED RESPONSE TO REQUEST NO. 13:**

13       Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 14 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 15 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 16 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 17 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 18 the specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 19 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 20 objections, Plaintiff responds, admit.

21       **REQUEST FOR ADMISSION NO. 14:**

22       Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 23 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

24       **AMENDED RESPONSE TO REQUEST NO. 14:**

25       Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 26 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 27 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,

1 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 2 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 3 the specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 4 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 5 objections, Plaintiff responds, admit.

6 **REQUEST FOR ADMISSION NO. 15:**

7 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 8 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 9 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due to  
 10 the infringement alleged in the COMPLAINT.

11 **AMENDED RESPONSE TO REQUEST NO. 15:**

12 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 13 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
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 19 hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL  
 20 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the  
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 24 committee’s note to 1946 amendment. Plaintiff further objects to this Request as duplicative in whole or  
 25 in part of RFA 12. Subject to and without waiving the foregoing objections, Plaintiff responds, admit.

26 **REQUEST FOR ADMISSION NO. 16:**

27 Admit that book sales for YOUR ASSERTED WORKS (including through any physical

1 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due  
 2 to the alleged use of YOUR ASSERTED WORKS to train large language models.

3 **AMENDED RESPONSE TO REQUEST NO. 16:**

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 17 readily obtained by him is insufficient to enable him to admit or deny.

18 **REQUEST FOR ADMISSION NO. 31:**

19 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 20 use in the training of an artificial intelligence large language model.

21 **AMENDED RESPONSE TO REQUEST NO. 31:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
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 26 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 27 waiving the foregoing objections, Plaintiff responds, admit.

1      **REQUEST FOR ADMISSION NO. 33:**

2                Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4      **AMENDED RESPONSE TO REQUEST NO. 33:**

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7 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
8 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
9 further objects to the phrase “for a fee” as vague and ambiguous. Subject to and without waiving the  
10 foregoing objections, Plaintiff responds, admit.

1 Dated: August 28, 2024

2 By: /s/ Joseph R. Saveri  
3 Joseph R. Saveri

4 Joseph R. Saveri (State Bar No. 130064)  
5 Cadio Zirpoli (State Bar No. 179108)  
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Counsel for Individual and Representative Plaintiffs  
and the Proposed Class

**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by the Joseph Saveri Law Firm, LLP. My business address is 601 California Street, Suite 1505, San Francisco, California 94108. I am over the age of eighteen and not a party to this action.

On August 28, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- PLAINTIFF CHRISTOPHER GOLDEN'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION

I declare under penalty of perjury that the foregoing is true and correct. Executed August 28, 2024,  
at San Francisco, California.

By: Rya Fishman  
Rya Fishman

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*Counsel for Individual and Representative Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

V.

Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF TA-NEHISI COATES'S  
AMENDED RESPONSES TO DEFENDANT  
META PLATFORMS, INC.'S SECOND SET  
OF REQUESTS FOR ADMISSION**

1           **PROPOUNDING PARTIES:**

**Defendant Meta Platforms, Inc.**

2           **RESPONDING PARTIES:**

**Plaintiff Ta-Nehisi Coates**

3           **SET NUMBER:**

**Two (2)**

5           Plaintiff Ta-Nehisi Coates (“Plaintiff”) hereby amends his responses to Defendant Meta  
6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or  
7 “RFAs”).

8           **GENERAL OBJECTIONS**

9           1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they  
10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local  
11 rules.

12           2. Plaintiff objects to the Requests to the extent they seek information or materials that are  
13 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure  
14 rules, or other applicable privileges and protections, including communications with Plaintiff’s  
15 attorneys regarding the Action.

16           3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or  
17 supplement these responses with subsequently discovered responsive information and to introduce and  
18 rely upon any such subsequently discovered information in this litigation.

19           **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

20           **REQUEST FOR ADMISSION NO. 8:**

21           Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training  
22 data for artificial intelligence.

23           **AMENDED RESPONSE TO REQUEST NO. 8:**

24           Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
25 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,  
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as  
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the  
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody  
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for  
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
 19 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request  
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,  
 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

1 facts of the case, courts do not permit “hypothetical” questions within requests for admission.”’);  
 2 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 3 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 4 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as  
 5 duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert opinion.  
 6 Plaintiffs are still investigating their damages theory. Subject to and without waiving the foregoing  
 7 objections, Plaintiff responds as follows: admit.

8 **REQUEST FOR ADMISSION NO. 13:**

9 Admit that YOU have no documentary evidence that any PERSON has offered any  
 10 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

11 **AMENDED RESPONSE TO REQUEST NO. 13:**

12 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 13 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 14 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 15 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 16 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the  
 17 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 18 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 19 objections, Plaintiff responds as follows: admit.

20 **REQUEST FOR ADMISSION NO. 14:**

21 Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 22 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

23 **AMENDED RESPONSE TO REQUEST NO. 14:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 25 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the

1 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 2 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 15:**

5 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 6 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 7 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due  
 8 to the infringement alleged in the COMPLAINT.

9 **AMENDED RESPONSE TO REQUEST NO. 15:**

10 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 11 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 12 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 13 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 14 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 15 the specific claims and defenses raised in this case. Plaintiff further objects to the term “lost sales” as  
 16 vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and not tied to the  
 17 facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7,  
 18 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit  
 19 ‘hypothetical’ questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL  
 20 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the  
 21 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946  
 22 amendment. Plaintiff further objects to this Request as duplicative in whole or in part of RFA 12.  
 23 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

24 **REQUEST FOR ADMISSION NO. 16:**

25 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 26 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due  
 27 to the alleged use of YOUR ASSERTED WORKS to train large language models.

1

**AMENDED RESPONSE TO REQUEST NO. 16:**

2

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 5 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 7 further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request  
 8 because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit*  
 9 *Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected  
 10 to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.’”);  
 11 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 12 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 13 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it  
 14 prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff  
 15 responds that after a reasonable inquiry, the information known or that can be readily obtained by him  
 16 is insufficient to enable him to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 22 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 26 waiving the foregoing objections, Plaintiff responds as follows: admit.

1     **REQUEST FOR ADMISSION NO. 33:**

2                 Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4     **AMENDED RESPONSE TO REQUEST NO. 33:**

5                 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
7 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
8 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
9 further objects that this Request poses an incomplete hypothetical, preventing Plaintiff from providing a  
10 single definitive answer. Subject to and without waiving the foregoing objections, Plaintiff admits only  
11 that he may be willing to consider permitting a third party to use his asserted works for the purpose of  
12 training an artificial intelligence large language model, under certain circumstances not present in this  
13 case. Plaintiff otherwise denies Request No. 33.

1 Dated: September 6, 2024

2 By: /s/ Bryan L. Clobes  
3 Bryan L. Clobes

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26 *Counsel for Individual and Representative Plaintiffs  
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**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by Cafferty Clobes Meriwether & Sprengel, LLP. My business address is 135 South LaSalle Street, Suite 3210, Chicago, Illinois 60603. I am over the age of eighteen and not a party to this action.

On September 6, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- PLAINTIFF TA-NEHISI COATES'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION

I declare under penalty of perjury that the foregoing is true and correct. Executed September 6, 2024, at Chicago, Illinois.

By: /s/ Bryan L. Clobes  
Bryan L. Clobes

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*Counsel for Defendant  
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Aaron Cera (State Bar No. 351163)  
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16 **UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION**

19 Richard Kadrey, et al.,

20 *Individual and Representative Plaintiffs,*

21 v.

22 Meta Platforms, Inc.,

23 *Defendant.*

24 Lead Case No. 3:23-cv-03417-VC  
25 Case No. 4:23-cv-06663

26 **PLAINTIFF JUNOT DIAZ'S AMENDED  
27 RESPONSES TO DEFENDANT META  
PLATFORMS, INC.'S SECOND SET OF  
REQUESTS FOR ADMISSION**

**PROPOUNDING PARTIES:** Defendant Meta Platforms, Inc.

**RESPONDING PARTIES:** Plaintiff Junot Diaz

**SET NUMBER:** Two (2)

Plaintiff Junot Diaz (“Plaintiff”) hereby amends his responses to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

## **GENERAL OBJECTIONS**

1. Plaintiff generally objects to Defendant's definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff's attorneys regarding the Action.

3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

## **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

## **REQUEST FOR ADMISSION NO. 8:**

Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training data for artificial intelligence.

**AMENDED RESPONSE TO REQUEST NO. 8:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as

1 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
2 objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 9:**

4 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
5 licensed for use as training data for artificial intelligence.

6 **AMENDED RESPONSE TO REQUEST NO. 9:**

7 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
8 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
9 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
10 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
11 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
12 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
13 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
14 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,  
15 see response to RFA 8. Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 10:**

17 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as  
18 training data for artificial intelligence.

19 **AMENDED RESPONSE TO REQUEST NO. 10:**

20 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
21 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
22 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
23 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
24 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
25 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
26

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the  
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody  
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for  
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
 19 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request  
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,  
 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

1 facts of the case, courts do not permit “hypothetical” questions within requests for admission.”’);  
 2 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 3 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 4 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as  
 5 duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert opinion.  
 6 Plaintiffs are still investigating their damages theory. Subject to and without waiving the foregoing  
 7 objections, Plaintiff responds as follows: admit.

8 **REQUEST FOR ADMISSION NO. 13:**

9 Admit that YOU have no documentary evidence that any PERSON has offered any  
 10 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

11 **AMENDED RESPONSE TO REQUEST NO. 13:**

12 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 13 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 14 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 15 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 16 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the  
 17 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 18 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 19 objections, Plaintiff responds as follows: admit.

20 **REQUEST FOR ADMISSION NO. 14:**

21 Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 22 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

23 **AMENDED RESPONSE TO REQUEST NO. 14:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 25 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the

1 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 2 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 15:**

5 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 6 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 7 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due  
 8 to the infringement alleged in the COMPLAINT.

9 **AMENDED RESPONSE TO REQUEST NO. 15:**

10 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 11 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 12 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 13 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 14 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 15 the specific claims and defenses raised in this case. Plaintiff further objects to the term “lost sales” as  
 16 vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and not tied to the  
 17 facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7,  
 18 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit  
 19 “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL  
 20 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the  
 21 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946  
 22 amendment. Plaintiff further objects to this Request as duplicative in whole or in part of RFA 12.  
 23 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

24 **REQUEST FOR ADMISSION NO. 16:**

25 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 26 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due  
 27 to the alleged use of YOUR ASSERTED WORKS to train large language models.

1

**AMENDED RESPONSE TO REQUEST NO. 16:**

2

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 5 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 7 further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request  
 8 because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit*  
 9 *Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected  
 10 to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.’”);  
 11 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 12 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 13 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it  
 14 prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff  
 15 responds that after a reasonable inquiry, the information known or that can be readily obtained by him  
 16 is insufficient to enable him to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 22 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 26 waiving the foregoing objections, Plaintiff responds as follows: admit.

1     **REQUEST FOR ADMISSION NO. 33:**

2                 Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4     **AMENDED RESPONSE TO REQUEST NO. 33:**

5                 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
7 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
8 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
9 further objects that this Request poses an incomplete hypothetical, preventing Plaintiff from providing a  
10 single definitive answer. Subject to and without waiving the foregoing objections, Plaintiff admits only  
11 that he may be willing to consider permitting a third party to use his asserted works for the purpose of  
12 training an artificial intelligence large language model, under certain circumstances not present in this  
13 case. Plaintiff otherwise denies Request No. 33.

1 Dated: September 6, 2024

2 By: /s/ Bryan L. Clobes  
3 Bryan L. Clobes

4 Joseph R. Saveri (State Bar No. 130064)  
5 Cadio Zirpoli (State Bar No. 179108)  
6 Christopher K.L. Young (State Bar No. 318371)  
7 Holden Benon (State Bar No. 325847)  
8 Aaron Cera (State Bar No. 351163)

9 Margaux Poueymirou (State Bar No. 356000)  
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26 *Counsel for Individual and Representative Plaintiffs  
and the Proposed Class*

**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by Cafferty Clobes Meriwether & Sprengel, LLP. My business address is 135 South LaSalle Street, Suite 3210, Chicago, Illinois 60603. I am over the age of eighteen and not a party to this action.

On September 6, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- PLAINTIFF JUNOT DIAZ'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION**

I declare under penalty of perjury that the foregoing is true and correct. Executed September 6, 2024, at Chicago, Illinois.

By: /s/ Bryan L. Clobes  
Bryan L. Clobes

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*Counsel for Defendant  
Meta Platforms, Inc.*

# **EXHIBIT 6**

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Cadio Zirpoli (State Bar No. 179108)  
Christopher K.L. Young (State Bar No. 318371)  
Holden Benon (State Bar No. 325847)  
Aaron Cera (State Bar No. 351163)  
Margaux Poueymirou (State Bar No. 356000)

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Bryan L. Clobes (pro hac vice)  
Alexander J. Sweatman (pro hac vice)  
Mohammed A. Rathur (pro hac vice anticipated)  
**CAFFERTY CLOBES MERIWETHER  
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asweatman@caffertyclobes.com  
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*Counsel for Individual and Representative Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

### *Individual and Representative Plaintiffs,*

V.

Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF ANDREW SEAN GREER'S  
AMENDED RESPONSES TO DEFENDANT  
META PLATFORMS, INC.'S SECOND SET  
OF REQUESTS FOR ADMISSION**

1           **PROPOUNDING PARTIES:**

**Defendant Meta Platforms, Inc.**

2           **RESPONDING PARTIES:**

**Plaintiff Andrew Sean Greer**

3           **SET NUMBER:**

**Two (2)**

5           Plaintiff Andrew Sean Greer (“Plaintiff”) hereby amends his responses to Defendant Meta  
6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or  
7 “RFAs”).

8           **GENERAL OBJECTIONS**

9           1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they  
10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local  
11 rules.

12           2. Plaintiff objects to the Requests to the extent they seek information or materials that are  
13 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure  
14 rules, or other applicable privileges and protections, including communications with Plaintiff’s  
15 attorneys regarding the Action.

16           3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or  
17 supplement these responses with subsequently discovered responsive information and to introduce and  
18 rely upon any such subsequently discovered information in this litigation.

19           **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

20           **REQUEST FOR ADMISSION NO. 8:**

21           Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training  
22 data for artificial intelligence.

23           **AMENDED RESPONSE TO REQUEST NO. 8:**

24           Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
25 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,  
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as  
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the  
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody  
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for  
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
 19 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request  
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,  
 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

1 facts of the case, courts do not permit “hypothetical” questions within requests for admission.”’);  
 2 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 3 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 4 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as  
 5 duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert opinion.  
 6 Plaintiffs are still investigating their damages theory. Subject to and without waiving the foregoing  
 7 objections, Plaintiff responds as follows: admit.

8 **REQUEST FOR ADMISSION NO. 13:**

9 Admit that YOU have no documentary evidence that any PERSON has offered any  
 10 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

11 **AMENDED RESPONSE TO REQUEST NO. 13:**

12 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
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 14 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 15 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 16 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the  
 17 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 18 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 19 objections, Plaintiff responds as follows: admit.

20 **REQUEST FOR ADMISSION NO. 14:**

21 Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 22 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

23 **AMENDED RESPONSE TO REQUEST NO. 14:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 25 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the

1 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 2 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 15:**

5 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 6 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 7 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due  
 8 to the infringement alleged in the COMPLAINT.

9 **AMENDED RESPONSE TO REQUEST NO. 15:**

10 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 11 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 12 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 13 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 14 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
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 16 vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and not tied to the  
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 20 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the  
 21 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946  
 22 amendment. Plaintiff further objects to this Request as duplicative in whole or in part of RFA 12.  
 23 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

24 **REQUEST FOR ADMISSION NO. 16:**

25 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 26 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due  
 27 to the alleged use of YOUR ASSERTED WORKS to train large language models.

1

**AMENDED RESPONSE TO REQUEST NO. 16:**

2

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 5 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 7 further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request  
 8 because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit*  
 9 *Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected  
 10 to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.’”);  
 11 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 12 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 13 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it  
 14 prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff  
 15 responds that after a reasonable inquiry, the information known or that can be readily obtained by him  
 16 is insufficient to enable him to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 22 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 26 waiving the foregoing objections, Plaintiff responds as follows: admit.

1      **REQUEST FOR ADMISSION NO. 33:**

2                Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4      **AMENDED RESPONSE TO REQUEST NO. 33:**

5                Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
7 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
8 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
9 further objects that this Request poses an incomplete hypothetical, preventing Plaintiff from providing a  
10 single definitive answer. Subject to and without waiving the foregoing objections, Plaintiff admits only  
11 that he may be willing to consider permitting a third party to use his asserted works for the purpose of  
12 training an artificial intelligence large language model, under certain circumstances not present in this  
13 case. Plaintiff otherwise denies Request No. 33.

1 Dated: September 6, 2024

2 By: /s/ Bryan L. Clobes  
3 Bryan L. Clobes

4 Joseph R. Saveri (State Bar No. 130064)  
5 Cadio Zirpoli (State Bar No. 179108)  
6 Christopher K.L. Young (State Bar No. 318371)  
7 Holden Benon (State Bar No. 325847)  
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26 *Counsel for Individual and Representative Plaintiffs  
and the Proposed Class*

**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by Cafferty Clobes Meriwether & Sprengel, LLP. My business address is 135 South LaSalle Street, Suite 3210, Chicago, Illinois 60603. I am over the age of eighteen and not a party to this action.

On September 6, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- PLAINTIFF ANDREW SEAN GREER'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION

I declare under penalty of perjury that the foregoing is true and correct. Executed September 6, 2024, at Chicago, Illinois.

By: /s/ Bryan L. Clobes  
Bryan L. Clobes

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*Counsel for Defendant  
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Christopher K.L. Young (State Bar No. 318371)  
Holden Benon (State Bar No. 325847)  
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*Counsel for Individual and Representative Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

V.

## Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF DAVID HENRY HWANG'S  
AMENDED RESPONSES TO DEFENDANT  
META PLATFORMS, INC.'S SECOND SET  
OF REQUESTS FOR ADMISSION**

1           **PROPOUNDING PARTIES:**

**Defendant Meta Platforms, Inc.**

2           **RESPONDING PARTIES:**

**Plaintiff David Henry Hwang**

3           **SET NUMBER:**

**Two (2)**

5           Plaintiff David Henry Hwang (“Plaintiff”) hereby amends his responses to Defendant Meta  
6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or  
7 “RFAs”).

8           **GENERAL OBJECTIONS**

9           1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they  
10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local  
11 rules.

12           2. Plaintiff objects to the Requests to the extent they seek information or materials that are  
13 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure  
14 rules, or other applicable privileges and protections, including communications with Plaintiff’s  
15 attorneys regarding the Action.

16           3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or  
17 supplement these responses with subsequently discovered responsive information and to introduce and  
18 rely upon any such subsequently discovered information in this litigation.

19           **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

20           **REQUEST FOR ADMISSION NO. 8:**

21           Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training  
22 data for artificial intelligence.

23           **AMENDED RESPONSE TO REQUEST NO. 8:**

24           Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
25 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,  
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as  
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the  
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody  
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for  
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
 19 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request  
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,  
 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

1 facts of the case, courts do not permit “hypothetical” questions within requests for admission.”’);  
 2 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 3 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 4 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as  
 5 duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert opinion.  
 6 Plaintiffs are still investigating their damages theory. Subject to and without waiving the foregoing  
 7 objections, Plaintiff responds as follows: admit.

8 **REQUEST FOR ADMISSION NO. 13:**

9 Admit that YOU have no documentary evidence that any PERSON has offered any  
 10 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

11 **AMENDED RESPONSE TO REQUEST NO. 13:**

12 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 13 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 14 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 15 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 16 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the  
 17 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 18 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 19 objections, Plaintiff responds as follows: admit.

20 **REQUEST FOR ADMISSION NO. 14:**

21 Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 22 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

23 **AMENDED RESPONSE TO REQUEST NO. 14:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 25 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the

1 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 2 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 15:**

5 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 6 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 7 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due  
 8 to the infringement alleged in the COMPLAINT.

9 **AMENDED RESPONSE TO REQUEST NO. 15:**

10 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 11 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 12 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 13 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 14 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 15 the specific claims and defenses raised in this case. Plaintiff further objects to the term “lost sales” as  
 16 vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and not tied to the  
 17 facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7,  
 18 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit  
 19 “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL  
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 21 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946  
 22 amendment. Plaintiff further objects to this Request as duplicative in whole or in part of RFA 12.  
 23 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

24 **REQUEST FOR ADMISSION NO. 16:**

25 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 26 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due  
 27 to the alleged use of YOUR ASSERTED WORKS to train large language models.

1

**AMENDED RESPONSE TO REQUEST NO. 16:**

2

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 5 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
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 11 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
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 15 responds that after a reasonable inquiry, the information known or that can be readily obtained by him  
 16 is insufficient to enable him to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
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 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 26 waiving the foregoing objections, Plaintiff responds as follows: admit.

1     **REQUEST FOR ADMISSION NO. 33:**

2                 Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4     **AMENDED RESPONSE TO REQUEST NO. 33:**

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6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
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11 that he may be willing to consider permitting a third party to use his asserted works for the purpose of  
12 training an artificial intelligence large language model, under certain circumstances not present in this  
13 case. Plaintiff otherwise denies Request No. 33.

1 Dated: September 6, 2024

2 By: /s/ Bryan L. Clobes  
3 Bryan L. Clobes

4 Joseph R. Saveri (State Bar No. 130064)  
5 Cadio Zirpoli (State Bar No. 179108)  
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26 *Counsel for Individual and Representative Plaintiffs  
and the Proposed Class*

**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by Cafferty Clobes Meriwether & Sprengel, LLP. My business address is 135 South LaSalle Street, Suite 3210, Chicago, Illinois 60603. I am over the age of eighteen and not a party to this action.

On September 6, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- PLAINTIFF DAVID HENRY HWANG'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION

I declare under penalty of perjury that the foregoing is true and correct. Executed September 6, 2024, at Chicago, Illinois.

By: /s/ Bryan L. Clobes  
Bryan L. Clobes

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*Counsel for Individual and Representative Plaintiffs and the Proposed Class*

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

V.

Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF MATTHEW KLAM'S  
AMENDED RESPONSES TO DEFENDANT  
META PLATFORMS, INC.'S SECOND SET  
OF REQUESTS FOR ADMISSION**

1 **PROPOUNDING PARTIES:**

**Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTIES:**

**Plaintiff Matthew Klam**

3 **SET NUMBER:**

**Two (2)**

5 Plaintiff Matthew Klam (“Plaintiff”) hereby amends his responses to Defendant Meta Platforms,  
6 Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

7 **GENERAL OBJECTIONS**

8 1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they  
9 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local  
10 rules.

11 2. Plaintiff objects to the Requests to the extent they seek information or materials that are  
12 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure  
13 rules, or other applicable privileges and protections, including communications with Plaintiff’s  
14 attorneys regarding the Action.

15 3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or  
16 supplement these responses with subsequently discovered responsive information and to introduce and  
17 rely upon any such subsequently discovered information in this litigation.

18 **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

19 **REQUEST FOR ADMISSION NO. 8:**

20 Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training  
21 data for artificial intelligence.

22 **AMENDED RESPONSE TO REQUEST NO. 8:**

23 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
24 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
25 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
26 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
27 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as

1 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
2 objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 9:**

4 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
5 licensed for use as training data for artificial intelligence.

6 **AMENDED RESPONSE TO REQUEST NO. 9:**

7 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
8 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
9 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
10 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
11 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
12 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
13 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
14 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,  
15 see response to RFA 8. Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 10:**

17 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as  
18 training data for artificial intelligence.

19 **AMENDED RESPONSE TO REQUEST NO. 10:**

20 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
21 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
22 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
23 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
24 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
25 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
26

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the  
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody  
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for  
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
 19 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request  
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,  
 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

1 facts of the case, courts do not permit “hypothetical” questions within requests for admission.”’);  
 2 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 3 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 4 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as  
 5 duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert opinion.  
 6 Plaintiffs are still investigating their damages theory. Subject to and without waiving the foregoing  
 7 objections, Plaintiff responds as follows: admit.

8 **REQUEST FOR ADMISSION NO. 13:**

9 Admit that YOU have no documentary evidence that any PERSON has offered any  
 10 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

11 **AMENDED RESPONSE TO REQUEST NO. 13:**

12 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 13 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 14 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 15 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 16 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the  
 17 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 18 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 19 objections, Plaintiff responds as follows: admit.

20 **REQUEST FOR ADMISSION NO. 14:**

21 Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 22 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

23 **AMENDED RESPONSE TO REQUEST NO. 14:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 25 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the

1 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 2 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 15:**

5 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 6 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 7 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due  
 8 to the infringement alleged in the COMPLAINT.

9 **AMENDED RESPONSE TO REQUEST NO. 15:**

10 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 11 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 12 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 13 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff also  
 14 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 15 the specific claims and defenses raised in this case. Plaintiff further objects to the term “lost sales” as  
 16 vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and not tied to the  
 17 facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7,  
 18 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit  
 19 “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL  
 20 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the  
 21 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946  
 22 amendment. Plaintiff further objects to this Request as duplicative in whole or in part of RFA 12.  
 23 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

24 **REQUEST FOR ADMISSION NO. 16:**

25 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 26 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due  
 27 to the alleged use of YOUR ASSERTED WORKS to train large language models.

1

**AMENDED RESPONSE TO REQUEST NO. 16:**

2 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 3 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 4 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 5 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 6 further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request  
 7 because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit*  
 8 *Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected  
 9 to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.’”);  
 10 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 11 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 12 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it  
 13 prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff  
 14 responds that after a reasonable inquiry, the information known or that can be readily obtained by him  
 15 is insufficient to enable him to admit or deny.

16

**REQUEST FOR ADMISSION NO. 31:**

17       Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 18 use in the training of an artificial intelligence large language model.

19

**AMENDED RESPONSE TO REQUEST NO. 31:**

20 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 21 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 22 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 23 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
 24 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 25 waiving the foregoing objections, Plaintiff responds as follows: admit.

1     **REQUEST FOR ADMISSION NO. 33:**

2                 Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4     **AMENDED RESPONSE TO REQUEST NO. 33:**

5                 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
7 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
8 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff  
9 further objects that this Request poses an incomplete hypothetical, preventing Plaintiff from providing a  
10 single definitive answer. Subject to and without waiving the foregoing objections, Plaintiff admits only  
11 that he may be willing to consider permitting a third party to use his asserted works for the purpose of  
12 training an artificial intelligence large language model, under certain circumstances not present in this  
13 case. Plaintiff otherwise denies Request No. 33.

1 Dated: September 6, 2024

2 By: /s/ Bryan L. Clobes  
3 Bryan L. Clobes

4 Joseph R. Saveri (State Bar No. 130064)  
5 Cadio Zirpoli (State Bar No. 179108)  
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26 *Counsel for Individual and Representative Plaintiffs  
and the Proposed Class*

**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by Cafferty Clobes Meriwether & Sprengel, LLP. My business address is 135 South LaSalle Street, Suite 3210, Chicago, Illinois 60603. I am over the age of eighteen and not a party to this action.

On September 6, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- **PLAINTIFF MATTHEW KLAM'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION**

I declare under penalty of perjury that the foregoing is true and correct. Executed September 6, 2024, at Chicago, Illinois.

By: /s/ Bryan L. Clobes  
Bryan L. Clobes

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*Counsel for Defendant  
Meta Platforms, Inc.*

# **EXHIBIT 9**

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Christopher K.L. Young (State Bar No. 318371)  
Holden Benon (State Bar No. 325847)  
Aaron Cera (State Bar No. 351163)  
Margaux Poueymirou (State Bar No. 356000)  
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*Counsel for Individual and Representative Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

V.

## Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF LAURA LIPPMAN'S  
AMENDED RESPONSES TO DEFENDANT  
META PLATFORMS, INC.'S SECOND SET  
OF REQUESTS FOR ADMISSION**

1           **PROPOUNDING PARTIES:**

**Defendant Meta Platforms, Inc.**

2           **RESPONDING PARTIES:**

**Plaintiff Laura Lippman**

3           **SET NUMBER:**

**Two (2)**

5           Plaintiff Laura Lippman (“Plaintiff”) hereby amends her responses to Defendant Meta  
6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or  
7 “RFAs”).

8           **GENERAL OBJECTIONS**

9           1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they  
10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local  
11 rules.

12           2. Plaintiff objects to the Requests to the extent they seek information or materials that are  
13 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure  
14 rules, or other applicable privileges and protections, including communications with Plaintiff’s  
15 attorneys regarding the Action.

16           3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or  
17 supplement these responses with subsequently discovered responsive information and to introduce and  
18 rely upon any such subsequently discovered information in this litigation.

19           **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

20           **REQUEST FOR ADMISSION NO. 8:**

21           Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training  
22 data for artificial intelligence.

23           **AMENDED RESPONSE TO REQUEST NO. 8:**

24           Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
25 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,  
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as  
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the  
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody  
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for  
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
 19 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request  
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,  
 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

1 facts of the case, courts do not permit “hypothetical” questions within requests for admission.”’);  
 2 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 3 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 4 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as  
 5 duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert opinion.  
 6 Plaintiffs are still investigating their damages theory. Subject to and without waiving the foregoing  
 7 objections, Plaintiff responds as follows: admit.

8 **REQUEST FOR ADMISSION NO. 13:**

9 Admit that YOU have no documentary evidence that any PERSON has offered any  
 10 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

11 **AMENDED RESPONSE TO REQUEST NO. 13:**

12 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 13 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 14 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 15 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff also  
 16 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the  
 17 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 18 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 19 objections, Plaintiff responds as follows: admit.

20 **REQUEST FOR ADMISSION NO. 14:**

21 Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 22 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

23 **AMENDED RESPONSE TO REQUEST NO. 14:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 25 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff also  
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1 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 2 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 15:**

5 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 6 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 7 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due  
 8 to the infringement alleged in the COMPLAINT.

9 **AMENDED RESPONSE TO REQUEST NO. 15:**

10 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 11 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 12 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
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 15 the specific claims and defenses raised in this case. Plaintiff further objects to the term “lost sales” as  
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 21 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946  
 22 amendment. Plaintiff further objects to this Request as duplicative in whole or in part of RFA 12.  
 23 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

24 **REQUEST FOR ADMISSION NO. 16:**

25 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 26 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due  
 27 to the alleged use of YOUR ASSERTED WORKS to train large language models.

1

**AMENDED RESPONSE TO REQUEST NO. 16:**

2

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 5 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 7 further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request  
 8 because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit*  
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 13 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it  
 14 prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff  
 15 responds that after a reasonable inquiry, the information known or that can be readily obtained by her is  
 16 insufficient to enable her to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 22 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 26 waiving the foregoing objections, Plaintiff responds as follows: admit.

1      **REQUEST FOR ADMISSION NO. 33:**

2                Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4      **AMENDED RESPONSE TO REQUEST NO. 33:**

5                Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
7 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
8 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
9 further objects that this Request poses an incomplete hypothetical, preventing Plaintiff from providing a  
10 single definitive answer. Subject to and without waiving the foregoing objections, Plaintiff admits only  
11 that she may be willing to consider permitting a third party to use her asserted works for the purpose of  
12 training an artificial intelligence large language model, under certain circumstances not present in this  
13 case. Plaintiff otherwise denies Request No. 33.

1 Dated: September 6, 2024

2 By: /s/ Bryan L. Clobes  
3 Bryan L. Clobes

4 Joseph R. Saveri (State Bar No. 130064)  
5 Cadio Zirpoli (State Bar No. 179108)  
6 Christopher K.L. Young (State Bar No. 318371)  
7 Holden Benon (State Bar No. 325847)  
8 Aaron Cera (State Bar No. 351163)  
9 Margaux Poueymirou (State Bar No. 356000)

10 **JOSEPH SAVERI LAW FIRM, LLP**  
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12 San Francisco, California 94108  
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16 Matthew Butterick (State Bar No. 250953)  
17 1920 Hillhurst Avenue, 406  
18 Los Angeles, CA 90027  
19 Telephone: (323)968-2632  
20 Facsimile: (415) 395-9940  
21 Email: mb@buttericklaw.com

22 Bryan L. Clobes (*pro hac vice*)  
23 Alexander J. Sweatman (*pro hac vice*)  
24 Mohammed A. Rathur (*pro hac vice anticipated*)  
25 **CAFFERTY CLOBES MERIWETHER**  
**& SPRENGEL LLP**  
26 135 South LaSalle Street, Suite 3210  
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27 Daniel J. Muller (State Bar No. 193396)  
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Facsimile: (408) 512-3023  
Email: dmuller@venturahersey.com

28 *Counsel for Individual and Representative Plaintiffs*  
and the Proposed Class

**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by Cafferty Clobes Meriwether & Sprengel, LLP. My business address is 135 South LaSalle Street, Suite 3210, Chicago, Illinois 60603. I am over the age of eighteen and not a party to this action.

On September 6, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- PLAINTIFF LAURA LIPPMAN'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION

I declare under penalty of perjury that the foregoing is true and correct. Executed September 6, 2024, at Chicago, Illinois.

By: /s/ Bryan L. Clobes  
Bryan L. Clobes

## **SERVICE LIST**

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Colette Ani Ghazarian  
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[cghazarian@cooley.com](mailto:cghazarian@cooley.com)

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James A. Ulwick  
**DICELLO LEVITT LLP**  
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Chicago, Illinois 60602  
Email: [akeller@dicelloselevitt.com](mailto:akeller@dicelloselevitt.com)  
[julwick@dicelloselevitt.com](mailto:julwick@dicelloselevitt.com)

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*Counsel for Plaintiffs*

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Email: jlauter@cooley.com

Mark Alan Lemley  
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New York, NY 10151  
Email: [mlemley@lex-lumina.com](mailto:mlemley@lex-lumina.com)

Angela L. Dunning  
**CLEARY GOTTLIEB STEEN &**  
**HAMILTON LLP**  
1841 Page Mill Road  
Palo Alto, CA 94304-1254  
Email: [adunning@cgsh.com](mailto:adunning@cgsh.com)

*Counsel for Defendant  
Meta Platforms, Inc.*

# **EXHIBIT 10**

1 Joseph R. Saveri (State Bar No. 130064)  
2 Cadio Zirpoli (State Bar No. 179108)  
3 Christopher K.L. Young (State Bar No. 318371)  
Holden Benon (State Bar No. 325847)  
Aaron Cera (State Bar No. 351163)  
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hbenon@saverilawfirm.com  
acera@saverilawfirm.com  
mpoueymirou@saverilawfirm.com

10 *Counsel for Individual and Representative  
11 Plaintiffs and the Proposed Class*

12 [Additional counsel on signature page]

13 Matthew Butterick (State Bar No. 250953)  
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15 Bryan L. Clobes (pro hac vice)  
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Email: bclobes@caffertyclobes.com  
asweatman@caffertyclobes.com  
mrathur@caffertyclobes.com

16 **UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION**

19 Richard Kadrey, et al.,

20 *Individual and Representative Plaintiffs,*

21 v.

22 Meta Platforms, Inc.,

23 *Defendant.*

24 Lead Case No. 3:23-cv-03417-VC  
25 Case No. 4:23-cv-06663

26 **PLAINTIFF RACHEL LOUISE SNYDER'S  
27 AMENDED RESPONSES TO DEFENDANT  
META PLATFORMS, INC.'S SECOND SET  
OF REQUESTS FOR ADMISSION**

1           **PROPOUNDING PARTIES:**

**Defendant Meta Platforms, Inc.**

2           **RESPONDING PARTIES:**

**Plaintiff Rachel Louise Snyder**

3           **SET NUMBER:**

**Two (2)**

5           Plaintiff Rachel Louise Snyder (“Plaintiff”) hereby amends her responses to Defendant Meta  
6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or  
7 “RFAs”).

8           **GENERAL OBJECTIONS**

9           1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they  
10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local  
11 rules.

12           2. Plaintiff objects to the Requests to the extent they seek information or materials that are  
13 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure  
14 rules, or other applicable privileges and protections, including communications with Plaintiff’s  
15 attorneys regarding the Action.

16           3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or  
17 supplement these responses with subsequently discovered responsive information and to introduce and  
18 rely upon any such subsequently discovered information in this litigation.

19           **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

20           **REQUEST FOR ADMISSION NO. 8:**

21           Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training  
22 data for artificial intelligence.

23           **AMENDED RESPONSE TO REQUEST NO. 8:**

24           Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
25 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,  
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as  
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the  
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody  
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for  
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
 19 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request  
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,  
 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

1 facts of the case, courts do not permit “hypothetical” questions within requests for admission.”’);  
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 3 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 4 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as  
 5 duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert opinion.  
 6 Plaintiffs are still investigating their damages theory. Subject to and without waiving the foregoing  
 7 objections, Plaintiff responds as follows: admit.

8 **REQUEST FOR ADMISSION NO. 13:**

9 Admit that YOU have no documentary evidence that any PERSON has offered any  
 10 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

11 **AMENDED RESPONSE TO REQUEST NO. 13:**

12 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
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 15 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff also  
 16 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the  
 17 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 18 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 19 objections, Plaintiff responds as follows: admit.

20 **REQUEST FOR ADMISSION NO. 14:**

21 Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 22 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

23 **AMENDED RESPONSE TO REQUEST NO. 14:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 25 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff also  
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1 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 2 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 15:**

5 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 6 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 7 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due  
 8 to the infringement alleged in the COMPLAINT.

9 **AMENDED RESPONSE TO REQUEST NO. 15:**

10 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
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 22 amendment. Plaintiff further objects to this Request as duplicative in whole or in part of RFA 12.  
 23 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

24 **REQUEST FOR ADMISSION NO. 16:**

25 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 26 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due  
 27 to the alleged use of YOUR ASSERTED WORKS to train large language models.

1

**AMENDED RESPONSE TO REQUEST NO. 16:**

2

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
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18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
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 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 26 waiving the foregoing objections, Plaintiff responds as follows: admit.

1     **REQUEST FOR ADMISSION NO. 33:**

2                 Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4     **AMENDED RESPONSE TO REQUEST NO. 33:**

5                 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
7 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
8 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
9 further objects that this Request poses an incomplete hypothetical, preventing Plaintiff from providing a  
10 single definitive answer. Subject to and without waiving the foregoing objections, Plaintiff admits only  
11 that she may be willing to consider permitting a third party to use her asserted works for the purpose of  
12 training an artificial intelligence large language model, under certain circumstances not present in this  
13 case. Plaintiff otherwise denies Request No. 33.

1 Dated: September 6, 2024

2 By: /s/ Bryan L. Clobes  
3 Bryan L. Clobes

4 Joseph R. Saveri (State Bar No. 130064)  
5 Cadio Zirpoli (State Bar No. 179108)  
6 Christopher K.L. Young (State Bar No. 318371)  
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28 *Counsel for Individual and Representative Plaintiffs*  
and the Proposed Class

**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by Cafferty Clobes Meriwether & Sprengel, LLP. My business address is 135 South LaSalle Street, Suite 3210, Chicago, Illinois 60603. I am over the age of eighteen and not a party to this action.

On September 6, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- PLAINTIFF RACHEL LOUISE SNYDER'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION

I declare under penalty of perjury that the foregoing is true and correct. Executed September 6, 2024, at Chicago, Illinois.

By: /s/ Bryan L. Clobes  
Bryan L. Clobes

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*Counsel for Defendant  
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# **EXHIBIT 11**

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2 Cadio Zirpoli (State Bar No. 179108)  
3 Christopher K.L. Young (State Bar No. 318371)  
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10 *Counsel for Individual and Representative  
11 Plaintiffs and the Proposed Class*

12 [Additional counsel on signature page]

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16 **UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION**

19 Richard Kadrey, et al.,

20 *Individual and Representative Plaintiffs,*

21 v.

22 Meta Platforms, Inc.,

23 *Defendant.*

24 Lead Case No. 3:23-cv-03417-VC  
25 Case No. 4:23-cv-06663

26 **PLAINTIFF JACQUELINE WOODSON'S  
27 AMENDED RESPONSES TO DEFENDANT  
META PLATFORMS, INC.'S SECOND SET  
OF REQUESTS FOR ADMISSION**

1           **PROPOUNDING PARTIES:**

Defendant Meta Platforms, Inc.

2           **RESPONDING PARTIES:**

Plaintiff Jacqueline Woodson

3           **SET NUMBER:**

Two (2)

5           Plaintiff Jacqueline Woodson (“Plaintiff”) hereby amends her responses to Defendant Meta  
 6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or  
 7 “RFAs”).

8           **GENERAL OBJECTIONS**

9           1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they  
 10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local  
 11 rules.

12           2. Plaintiff objects to the Requests to the extent they seek information or materials that are  
 13 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure  
 14 rules, or other applicable privileges and protections, including communications with Plaintiff’s  
 15 attorneys regarding the Action.

16           3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or  
 17 supplement these responses with subsequently discovered responsive information and to introduce and  
 18 rely upon any such subsequently discovered information in this litigation.

19           **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

20           **REQUEST FOR ADMISSION NO. 8:**

21           Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training  
 22 data for artificial intelligence.

23           **AMENDED RESPONSE TO REQUEST NO. 8:**

24           Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 25 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing  
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been  
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as  
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,  
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as  
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the  
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody  
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for  
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will  
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as  
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing  
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,  
 19 e.g., [March 7, 2024 denial of RFA No. 1]), YOU are unaware of any lost sales due to the infringement  
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it  
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request  
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,  
 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

1 facts of the case, courts do not permit “hypothetical” questions within requests for admission.”’);  
 2 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 3 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 4 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as  
 5 duplicative in whole or in part of RFA 15. Further, this Request seeks premature expert opinion.  
 6 Plaintiffs are still investigating their damages theory. Subject to and without waiving the foregoing  
 7 objections, Plaintiff responds as follows: admit.

8 **REQUEST FOR ADMISSION NO. 13:**

9 Admit that YOU have no documentary evidence that any PERSON has offered any  
 10 consideration to YOU for the use of YOUR ASSERTED WORKS to train large language models.

11 **AMENDED RESPONSE TO REQUEST NO. 13:**

12 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 13 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 14 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 15 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff also  
 16 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the  
 17 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 18 duplicative in whole or in part of RFAs 8-11, and 14. Subject to and without waiving the foregoing  
 19 objections, Plaintiff responds as follows: admit.

20 **REQUEST FOR ADMISSION NO. 14:**

21 Admit that YOU have no documentary evidence that any PERSON has actually compensated  
 22 YOU any consideration for use of YOUR ASSERTED WORKS to train large language models.

23 **AMENDED RESPONSE TO REQUEST NO. 14:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 25 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff also  
 objects to the term “documentary evidence” as vague and overbroad because it is not limited to the

1 specific claims and defenses raised in this dispute. Plaintiff further objects to this Request as  
 2 duplicative in whole or in part of RFAs 8-11, and 13. Subject to and without waiving the foregoing  
 3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 15:**

5 Admit that, other than YOUR contention that LLM developers such as Meta should have  
 6 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 7 are unaware of any documentary evidence that YOU have lost sales of any ASSERTED WORKS due  
 8 to the infringement alleged in the COMPLAINT.

9 **AMENDED RESPONSE TO REQUEST NO. 15:**

10 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 11 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 12 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 13 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff also  
 14 objects to the term “documentary evidence” as being vague and overbroad because it is not limited to  
 15 the specific claims and defenses raised in this case. Plaintiff further objects to the term “lost sales” as  
 16 vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and not tied to the  
 17 facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7,  
 18 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit  
 19 “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL  
 20 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the  
 21 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946  
 22 amendment. Plaintiff further objects to this Request as duplicative in whole or in part of RFA 12.  
 23 Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

24 **REQUEST FOR ADMISSION NO. 16:**

25 Admit that book sales for YOUR ASSERTED WORKS (including through any physical  
 26 bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due  
 27 to the alleged use of YOUR ASSERTED WORKS to train large language models.

1

**AMENDED RESPONSE TO REQUEST NO. 16:**

2

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 5 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 7 further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request  
 8 because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit*  
 9 *Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected  
 10 to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.’”);  
 11 *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request  
 12 “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R.  
 13 Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it  
 14 prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff  
 15 responds that after a reasonable inquiry, the information known or that can be readily obtained by her is  
 16 insufficient to enable her to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for  
 19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 22 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff  
 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without  
 26 waiving the foregoing objections, Plaintiff responds as follows: admit.

1      **REQUEST FOR ADMISSION NO. 33:**

2                Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR ASSERTED  
3 works for the purpose of training an artificial intelligence large language model.

4      **AMENDED RESPONSE TO REQUEST NO. 33:**

5                Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
7 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,  
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9 further objects that this Request poses an incomplete hypothetical, preventing Plaintiff from providing a  
10 single definitive answer. Subject to and without waiving the foregoing objections, Plaintiff admits only  
11 that she may be willing to consider permitting a third party to use her asserted works for the purpose of  
12 training an artificial intelligence large language model, under certain circumstances not present in this  
13 case. Plaintiff otherwise denies Request No. 33.

1 Dated: September 6, 2024

2 By: /s/ Bryan L. Clobes  
3 Bryan L. Clobes

4 Joseph R. Saveri (State Bar No. 130064)  
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28 *Counsel for Individual and Representative Plaintiffs*  
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**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by Cafferty Clobes Meriwether & Sprengel, LLP. My business address is 135 South LaSalle Street, Suite 3210, Chicago, Illinois 60603. I am over the age of eighteen and not a party to this action.

On September 6, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- **PLAINTIFF JACQUELINE WOODSON'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION**

I declare under penalty of perjury that the foregoing is true and correct. Executed September 6, 2024, at Chicago, Illinois.

By: /s/ Bryan L. Clobes  
Bryan L. Clobes

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